

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

RACKSPACE US, INC.,

Plaintiff,

v.

Civil Action No. 5:13-cv-00274-OLG

PARALLEL IRON, LLC and
IP NAVIGATION GROUP, LLC,

Defendants.

**REPLY TO RACKSPACE'S RESPONSE TO
IP NAVIGATION GROUP, LLC'S MOTION TO DISMISS**

IP Navigation Group, LLC (“IPNav”) hereby withdraws the present Motion to Dismiss (Dkt. No. 11). IPNav’s Motion to Dismiss was directed to Rackspace US, Inc.’s (“Rackspace”) Original Complaint (Dkt. No. 1), filed on April 4, 2013, which is no longer Rackspace’s operative pleading. On May 17, 2013, in conjunction with its Response to IPNav’s Motion to Dismiss, Rackspace filed an Amended Complaint (Dkt. No. 14) pursuant to Fed. R. Civ. P. 15(a)(1)(B). Rackspace’s Amended Complaint pleads new factual allegations and a new claim for nominal damages.

In light of Rackspace’s Amended Complaint, IPNav believes that the Court may properly deny the present Motion to Dismiss (Dkt. No. 11) as moot. IPNav will respond to Rackspace’s Amended Complaint by the deadline set forth in Fed. R. Civ. P. 15(a)(3).

Date: May 24, 2013

Respectfully Submitted:

/s/ Amy E. LaValle

Donald Puckett
Texas Bar No. 24013358
Amy E. LaValle
Texas State Bar No. 24040529
SKIERMONT PUCKETT LLP
2200 Ross Ave, Suite 4800W
Dallas, TX 75201
Tel: (214) 978-6600
Fax: (214) 978-6601
donald.puckett@skiermontpuckett.com
amy.lavalle@skiermontpuckett.com

Carlos I. Uresti
Texas Bar No. 00785132
THE URESTI LAW FIRM, P.C.
924 McCullough Ave.
San Antonio, TX 78215
Tel: (210) 927 3412
Fax: (210) 921 0430
carlos@urestilaw.com

*Counsel for Defendant
IP Navigation Group, LLC*

CERTIFICATE OF SERVICE

It is hereby certified that on May 24, 2013, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system.

/s/ Amy E. LaValle

Amy E. LaValle